

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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CINDY M. AULD and SCOTT B.  
AULD,

Civil No. 18-1303 (JRT/HB)

Plaintiffs,

v.

**ORDER ON REPORT  
AND RECOMMENDATION**

NEW PENN FINANCIAL LLC, et al,

Defendants.

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Jonathan L R Drewes, Gregory F Kelly, **DREWES LAW, PLLC**, 10 NE Second Street, Suite 205, Minneapolis, MN 55413, for plaintiffs.

Bradley R Armstrong, Michael S Poncin, **MOSS & BARNETT, PA**, 150 South 5th Street, Suite 1200, Minneapolis, MN 55402, for defendant New Penn Financial LLC.

Joseph Serge, John P Loring, Sara A Gallas, **WILSON ELSEER MOSKOWITZ EDELMAN & DICKER**, 740 North Plankinton Avenue, Suite 600, Milwaukee, WI 53203, for defendant Mortgage Contracting Services, LLC.

Champion Property Services, LLC c/o Dustin and Melanie O'Dell, 3 L Street, Lake Lotawana, MO 64086, *pro se* defendant.

United States Magistrate Judge Hildy Bowbeer filed a Report and Recommendation on November 14, 2019. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. The Report and Recommendation is **ADOPTED**;
2. Defendants Mortgage Contracting Services, LLC, and New Penn Financial LLC d/b/a Shellpoint Mortgage Servicing's Motion to Dismiss All Claims for Failure to Prosecute [Doc. No. 85] is **DENIED**; and
3. Plaintiffs' claims against Champion Property Services, LLC, are **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: January 27, 2020  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court